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FISCAL IMPACT STATEMENT

LS 6652

BILL NUMBER: HB 1164

NOTE PREPARED: Jan 9, 2012

BILL AMENDED:

SUBJECT: Motor Scooters.

FIRST AUTHOR: Rep. Wolkins

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- (1) Replaces the term "motorized bicycle" with "motor scooter".
- (2) Modifies the definition of "motor scooter".
- (3) Repeals superseded language.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues: Current law exempts *motorized bicycles* from the definition of a motor vehicle provided the motorized bicycle meets the following conditions:

- (1) has two or three wheels,
- (2) is propelled by either an internal combustion engine or battery-powered motor, and
- (3) if propelled by an internal combustion engine has
 - (A) an engine rating of not more than 2 horsepower and a maximum cylinder capacity of 50 cubic centimeters (cc),
 - (B) an automatic transmission, and
 - (C) a maximum design speed not to exceed 25 miles per hour.

The bill replaces the term *motorized bicycle* with an amended definition of *motor scooter* for purposes of traffic regulation and vehicle registration. Under the bill, a *motor scooter* would be exempt from the

definition of a motor vehicle provided the motor scooter has two or three wheels and is propelled by a battery-powered motor or an internal combustion engine with a maximum cylinder capacity of 50cc.

Effectively, this bill exempts *motor scooters* with automatic transmissions and maximum design speeds of 25 miles per hour from the requirements to be registered with the Bureau of Motor Vehicles (BMV). The number of individuals who have registered a motor scooter with the BMV that has a 50 cc engine, automatic transmission, and engine design speed that exceeds 25 miles per hour is not known, but expected to be small.

Under current law, an individual who operates a motorized bicycle over 25 miles per hour could face both illegal operation of a motorized bicycle (IC 9-21-11-12) as well as failure to register a motor vehicle (IC 9-18-2-29). Both of these penalties are Class C infractions. As the bill removes the registration requirement for motor scooters that have a maximum design speed that is greater than 25 miles per hour, this bill may decrease the number of Class C infraction judgments in the state for individuals who operate a motor vehicle without a registration.

Penalty Provision: The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. However, any reduction in revenue is likely to be small.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If fewer court actions are filed or judgments entered, local governments would receive less revenue from court fees. However, any reduction in revenue is likely to be small.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Elizabeth Murphy, BMV.

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